

United States District Court

NORTHERN DISTRICT OF TEXAS
1100 COMMERCE, ROOM 1572
DALLAS, TEXAS 75242

CHAMBERS OF
JUDGE BARBARA M. G. LYNN

TELEPHONE (214) 753-2420

September 17, 2013

Re: 3:09-CV-0733-M
American Imaging Services vs. Autodesk, Inc.
Bench Trial Rulings

Dear Counsel:

The Court has orally ruled against Autodesk on Autodesk's claims of spoliation and unclean hands. The Court now rules that Autodesk has not proven inequitable conduct by clear and convincing evidence, reserves its determination of the issue of equitable intervening rights until after trial, and concludes that laches does not bar Plaintiff's claims. Since the independent claims of the '393 patent were found to be invalid and unenforceable, in light of Super Paint, the Court concludes that an equitable doctrine, such as laches, does not bar the assertion of Plaintiff's claims before reissue, when such claims could have been successfully defended based on invalidity.

The Court will enter findings and conclusions on these issues after trial.

Very truly yours,

A handwritten signature in black ink, appearing to read "Barbara M. G. Lynn", written in a cursive style.

Barbara M. G. Lynn

BMGL/lag

cc: file